

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9281 OF 2005

Vimal C. Bhajanawalle & Anr. ...Petitioners
Versus
Shivaji R. Gaikwad & Anr. ...Respondents

Shri V.S.Talkute for the petitioners.
Shri A.A. Joshi for Respondent No.1.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 19th JANUARY, 2006.

P.C.

1. Heard Shri Talkute learned Counsel appearing for the petitioners. No interference under Article 227 of the Constitution of India is necessary with the finding of the Court below that the request of the petitioners for appointing Court Commissioner cannot be granted, as that would amount to permit them to collect evidence. Petition dismissed. However, dismissal of this Petition would not be an impediment for the petitioners to raise appropriate contentions on merits of the matter.

(S.C.DHARMADHIKARI, J)